

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARISTOCRAT TECHNOLOGIES, INC.,
Petitioner,

v.

IGT,
Patent Owner.

Case IPR2016-00491
Patent 6,932,701

Before JOSIAH C. COCKS, MICHAEL W. KIM, and RICHARD E. RICE,
Administrative Patent Judges.

KIM, *Administrative Patent Judge.*

DECISION
Institution of *Inter Partes* Review
37 C.F.R. § 42.108

I. INTRODUCTION

A. *Background*

Aristocrat Technologies, Inc. (“Petitioner”) filed a Petition to institute an *inter partes* review of claims 1–37 of U.S. Patent No. 6,932,701 (Ex. 1001, “the ’701 patent”). Paper 1 (“Pet.”). IGT (“Patent Owner”) filed a Preliminary Response (Paper 5; “Prelim. Resp.”).

We have jurisdiction under 35 U.S.C. § 314(a), which provides that an *inter partes* review may not be instituted unless the information presented in the Petition shows “there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” Upon consideration of the Petition and Preliminary Response, we determine that the information presented in the Petition demonstrates a reasonable likelihood that Petitioner would prevail in showing that claims 1–35 are unpatentable.

B. *Related Proceedings*

Petitioner and Patent Owner identify the following district court proceedings concerning the ’701 patent: *IGT v. Aristocrat Technologies, Inc.*, 2:15-cv-00473 (D. Nev.). Pet. 1; Paper 4, 2; Prelim. Resp. 6.

C. *The ’701 Patent*

According to the ’701 patent, gaming machines currently exist with bonus schemes where players are able to receive various awards associated with various events in a bonus game. Ex. 1001, 2:2–6. To that end, the ’701 patent sets forth a purportedly novel bonus game which includes a plurality of groups of symbols displayed to a player. Ex. 1001, 2:28–30. An embodiment of such a bonus game is set forth a below in Figure 3.

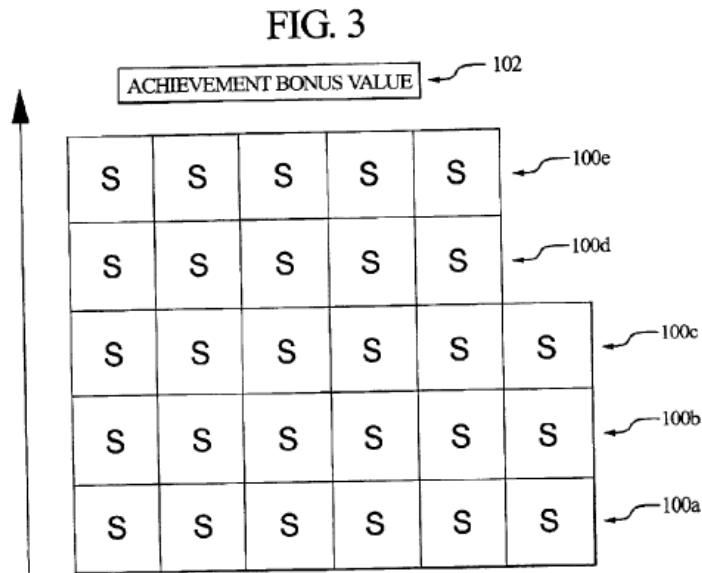


Figure 3 is a top plan view of selection groups 100a–100e in one embodiment of a bonus scheme.

Potential outcomes associated with symbols S in Figure 3 include bonus value outcomes, group-win outcomes, and termination outcomes. Ex. 1001, 2:39–41.

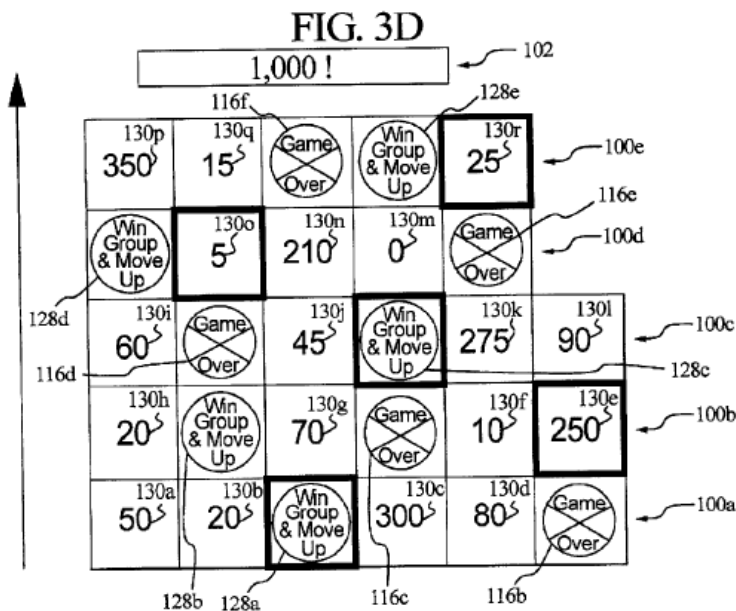


Figure 3D is a top plan view of selection groups 100a–100e in one embodiment of a bonus scheme.

More specifically, using the above-illustrated Figure 3D as an example, a player's first choice in first symbol group 100a is indicated by a blocked selection and is win-group outcome 128a. Ex. 1001, 7:55–58. Win-group outcome 128a provides all bonus values 130a, 130b, 130c, 130d in group 100a to the player. Ex. 1001, 7:58–62. The game may reveal all bonus values 130a, 130b, 130c, 130d in group 100a to the player, and also reveal terminator symbol 116b. Ex. 1001, 7:62–65. As win-group outcome 128a also indicates “move up,” the player may then select one of the choices or selections in selection group 100b located above selection group 100a. Ex. 1001, 7:65–67. This process continues until the players picks a selection in one of groups 100a–100e having an associated terminator 116b–116f or a selection in each of groups 100a–100e. Ex. 1001, 8:5–8. If the player picks a selection in each of groups 100a–100e without selecting any terminator 116b–116f, an achievement bonus value 102 is provided to the player. Ex. 1001, 8:8–11.

D. Illustrative Claim

Independent claim 1 is reproduced below:

1. A gaming device having a bonus game comprising:
 - a plurality of groups of symbols;
 - a plurality of bonus values associated with the symbols;
 - at least one win-group outcome associated with at least one of the symbols in at least one of the groups, the win-group outcome including a change group outcome and a plurality of the bonus values in said group;
 - at least one termination outcome associated with at least one of the symbols in at least one of the groups;
 - an achievement outcome;
 - a display device which displays the symbols; and
 - a processor in communication with the display device, which: (a) enables a player to select at least one symbol in one of

said groups; (b) provides the player with any bonus values associated with the selected symbol; (c) provides the player with the win-group outcome if the player picks the symbol including said win-group outcome; (d) changes to another of said groups of symbols based on the change group outcome associated with said win-group outcome and repeats (a) to (d) for said another group if the player picks the symbol including said win-group outcome; (e) terminates the bonus game if the player picks any symbol having the termination outcome; and (f) provides the player with the achievement outcome if the player picks at least one symbol in each of said groups without picking any symbol having the termination outcome.

E. Asserted Grounds of Unpatentability

Petitioner challenges claims 1–5, 7–35 on the following grounds.

Reference(s)	Basis	Challenged Claims
Barrie, ¹ Banana-Rama, ² and Luigi's Pizzeria ³	§ 103(a)	1–26 and 29–35
Barrie, Banana-Rama, and Luigi's Pizzeria, and Walker ⁴	§ 103(a)	27, 28, 36, 37

¹ GB 2 144 644A, published Mar. 13, 1985 (Ex. 1013; hereinafter “Barrie”).

² *Silicon Gaming: Raising the Bar*, Casino Journal, Sept. 1998 (Ex. 1005; hereinafter “Banana-Rama”).

³ *Sigma Game Something for Everyone*, Casino Journal, Sept. 1999 (Ex. 1017; hereinafter “Luigi's Pizzeria”).

⁴ U.S. Patent No. 6,174,235 B1 filed Dec. 30, 1997 (Ex. 1011).

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